

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 14-cr-20078
Hon. Mark A. Goldsmith

vs.

D-1 MACEIO BROWN,

Defendant.

OPINION & ORDER
DENYING DEFENDANT'S MOTION TO REDUCE SENTENCE (Dkt. 36)

On December 9, 2014, judgment entered against Defendant for making a fictitious obligation, 18 U.S.C. § 514(a)(1) (Dkt. 35). On June 24, 2016, Defendant, acting pro se, filed a motion to reduce his sentence and/or modify terms of supervised release (Dkt. 36). The motion invokes 18 U.S.C. § 3582, as well as Johnson v. United States, 135 S. Ct. 2551 (2015), and related case law.

Defendant's motion is a "form motion" that purports to raise issues concerning Defendant's supervised release terms, uncredited pretrial incarceration, firearm enhancements under 18 U.S.C. § 924, and certain amendments to the United States Sentencing Guidelines.¹

The motion's chief flaw is that, as a form motion, it lacks any connection to the instant Defendant. See, e.g., Def. Mot. at 1 ("To the extent that supervised release terms have been imposed upon me . . ."); id. at 2 ("To the extent any Pretrial Detention [occurred] . . ."); id. at 3

¹ This Court has seen several copies of this deeply flawed form motion submitted by various defendants. See, e.g., 6/6/2016 & 6/20/2016 Mots., United States v. Martin, No. 07-cr-20605-1 (E.D. Mich.).

(“Any Sentencing Guideline based enhancement or calculation factor of any kind — if applicable to me . . .”). It goes without saying that merely identifying a form of relief on the off-chance that it is available — without even bothering to assert that one is entitled to such relief (let alone how) — is insufficient. To make matters worse, the motion identifies several grounds for relief that are plainly inapplicable to Defendant, such as a firearm enhancement.

The Court has carefully scrutinized both the record and the motion, and it finds the motion to be wholly without merit. Defendant’s motion is denied.

SO ORDERED.

Dated: May 16, 2017
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on May 16, 2017.

s/Karri Sandusky
Case Manager